



Atty. Dkt. No. 060641-0113

15/ AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yasufumi KIKUCHI et al.
Title: HUMANIZED ANTI-CD47 ANTIBODY
Appl. No.: 10/578,840
International Filing Date: 11/11/2004
371(c) Date: 02/16/07
Examiner: Maher M. Haddad
Art Unit: 1644
Conf. No.: 2215

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Madam/Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to the Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56.

A copy of each non-patent document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). The Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

The documents are in English, and were recently cited in the corresponding European application. The Supplementary European Search Report dated October 6, 2009, is submitted herewith as Document B1.

The two EP publications cited in the Supplementary European Search Report are not cited herein since equivalent documents are of record in the present application as follows:

EP 1 035 132 corresponds to US 2003-0211108, US 2003-0157100 and WO 99/12973, which were cited by the Applicants in the IDS filed on May 10, 2006.

EP 1 167 388 corresponds to US 2003-0108546 and US 2004-0242847, which were cited by the Examiner with the Office Action dated March 24, 2009.

The Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP § 609.

STATEMENT

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

FEE

A credit card payment form in the amount of \$180.00 is enclosed to cover the fee associated with an information disclosure statement under 37 C.F.R. § 1.97(d).


The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 12, 2009

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